

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY pg D.C.

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TENNESSEE

UNITED STATES OF AMERICA,

*

Plaintiff,

*

vs.

*

Criminal No. 02-20326-D

STEVEN JOSEPH YURICK,

*

Defendant.

*

AMENDED PRELIMINARY ORDER OF FORFEITURE

In Indictment Number 02-20326-D, the United States sought forfeiture of specific property of defendant Steven Joseph Yurick, pursuant to 18 U.S.C. §§ 2251 and 2252. On August 4, 2003, a jury verdict of guilty was entered as to Counts 1 - 8 and the forfeiture in Count 9 of the Indictment.

Accordingly, it is **ORDERED**:

1. Based upon the jury's guilty verdict as to Counts 1 - 8 and the forfeiture in Count 9 of the Indictment Number 02-20326-D, the United States is authorized to seize the following property belonging to defendant Steven Joseph Yurick, and his interest in it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. §853(n) and Rule 32(d)(2) of the Federal Rules of Criminal Procedure:

- a. One (1) Computer Card Reader,
SN-CU99097180;
- b. One (1) Iomega 100MB Zip Drive,
SN-PAAQ17C5B7;

- c. One (1) Iomega Zip Disk Titled "Pics/Poses Art/Erotic";
- d. One (1) Iomega Zip Disk Titled "Naomi&Amanda Naomi Site Pics";
- e. One (1) 128MB Flash Memory Cards;
- f. One (1) 8MB Flash Memory Card;
- g. Three (3) CD-ROMS;
- h. Two (2) 1.44MB Floppy Diskettes;

All pursuant to Title 18, United States Code, Section 2253.

2. The forfeited property is to be held by the United States Marshal in his secure custody, or, as may be necessary, the Attorney General may appoint a substitute custodian.

3. Pursuant to 21 U.S.C. §853(n)(1), the United States Marshal shall publish at least once a week for three successive weeks in a newspaper of general circulation in Shelby County, Tennessee, notice of this order, notice of the United States' intent to dispose of the property in such manner as the Attorney General or his delegate may direct, and notice that any person, other than the defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and the relief sought. The United States Marshal or his delegate may use the attached

Legal Notice.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in property that is the subject of this Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified.

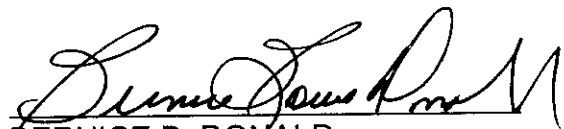
4) Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and included in the judgment.

5) If no third party files a timely claim, this Order shall become the Final Order of Forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2).

6. The United States shall have clear title to the Subject Property following the Court's disposition of all third-party interests, or, if none, following the expiration of the period provided in 21 U.S.C. §853(n)(2), which is incorporated by 18U.S.C. §982(b) and 28 U.S.C. §2461(c), for the filing of third party petitions.

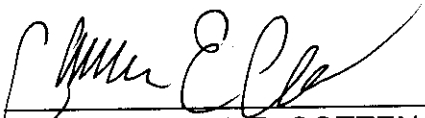
7. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

IT IS SO ORDERED this 2nd day of September, 2005.


BERNICE B. DONALD
United States District Judge

PRESENTED BY:

LAWRENCE J. LAURENZI
Acting United States Attorney

By: 
CHRISTOPHER E. COTTEN
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

UNITED STATES OF AMERICA,

*

Plaintiff,

*

vs.

*

Criminal No. 02-20326-D

STEVEN JOSEPH YURICK,

*

Defendant.

*

AMENDED LEGAL NOTICE

Take notice that on _____, the United States District Court for the Western District of Tennessee, Western Division, entered a Preliminary Order of Forfeiture ordering that all right, title and interest of the defendant Steven Joseph Yurick in the following property be forfeited to the United States to be disposed of in accordance with law:

1. One (1) Computer Card Reader,
SN-CU99097180;
2. One (1) Iomega 100MB Zip Drive,
SN-PAAQ17C5B7;
3. One (1) Iomega Zip Disk Titled
"Pics/Poses Art/Erotic";
4. One (1) Iomega Zip Disk Titled
"Naomi&Amanda Naomi Site Pics";
5. One (1) 128MB Flash Memory Cards;
6. One (1) 8MB Flash Memory Card;
7. Three (3) CD-ROMS;

8. Two (2) 1.44MB Floppy Diskettes;

All pursuant to Title 18, United States Code, Section 2253.

The United States intends to dispose of this property in such matter as the Attorney General or his delegate may direct. Any person, other than the defendant, having or claiming a legal interest in the above-listed forfeited property must file a petition with the Court within thirty (30) days of the final publication of this notice or of receipt of actual notice, whichever is earlier. The petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title, or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and relief sought.



Notice of Distribution

This notice confirms a copy of the document docketed as number 133 in case 2:02-CR-20326 was distributed by fax, mail, or direct printing on September 8, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT